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EXTRAORDINARY

PART II—Section 3—Sub-section (i)

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MINISTRY OF HEALTH

NOTIFICATION

New Delhi, the 1st June 1959

G.S.R. 645.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him in that behalf the President hereby makes the following rules, namely:—

1 Short Title and Commencement.—(1) These rules may be called the Central Health Service Rules, 1959

(2) They shall come into force on the FIRST day of JUNE 1959.

2. Definitions.—In these rules—

- (a) "Class III Officers" means officers holding Class III posts and possessing medical or public health qualifications;
- (b) "Commission" means the Union Public Service Commission;
- (c) "Controlling Authority" means the Ministry of Health;
- (d) "Departmental Promotion Committee" means the Committee constituted for the purpose from time to time;
- (e) "Duty Post" means any post, whether permanent or temporary, under the Central Government, other than a post under the Ministries of Railways and Defence, for which basic medical or public health qualifications have been prescribed;
- (f) "Government" means the Central Government
- (g) "Grade" means a Grade of the Service;
- (h) "Schedule" means a Schedule to these rules;
- (i) "Scheduled Castes" and 'Scheduled Tribes' have the same meaning as in clauses (24) and (25) of article 366 of the Constitution of India
- (j) "Service" means the Central Health Service constituted under rule 3

3 Constitution of the Central Health Service.—There shall be constituted a Service to be known as the Central Health Service consisting of —

- (a) persons appointed to the Service in a substantive capacity at the commencement of these rules, under rule 5; and

- (b) persons appointed to the Service in a substantive capacity thereafter either by promotion or direct recruitment in accordance with these rules.

4 Strength and Composition of the Service.—(1) The categories of posts, the grades of the Service, and the strength and scale of pay of each grade shall be as specified in Schedule I.

(2) The authorised permanent strength of each grade of the Service shall be such as may be determined by the Central Government from time to time.

5 Initial appointments to the Service.—The Central Government may at the commencement of these rules appoint to the Service, any person who, on the 1st August, 1957, was holding or would have held, but for his absence on deputation, a duty post or a post under the control of the Employees' State Insurance Corporation for which basic medical or public health qualifications have been prescribed.

6 Future maintenance of the Service.—After the initial constitution of the Service has been completed in accordance with rule 5, future vacancies shall be filled by promotion or direct recruitment, in accordance with Schedule II.

7. Temporary filling of Service posts.—(1) When there is a vacancy in the post of Director General of Health Services and no suitable officer is available for appointment either by promotion or direct recruitment, the Controlling Authority may, on the advice of the Commission fill such vacancy by transfer of a Class I Officer serving under a State Government.

(2) When there is a vacancy in any post in Grade I (other than the post of Director General of Health Services), Grade II or Grade III and no suitable officer is available for appointment by promotion or direct recruitment, the Controlling Authority may, on the advice of the Commission fill such vacancy by transfer of an officer employed under the Ministry of Railways or Defence or a State Government or a local or statutory body.

8 Deputation.—Members of the Service may be deputed or placed on foreign service for service in posts under State Governments, Statutory or local bodies, territorial councils, and semi Government organisations on terms which may be agreed to between the Controlling Authority and the State Government, Statutory or local body, territorial council and semi Government organisation concerned.

9 Pay of certain Officers.—(1) Nothing in the provisions regarding pay contained in these rules shall affect the scale of pay to which pre-1931 entrants or officers of the former Indian Medical Service (Civil) are entitled.

(2) Nothing contained in these rules shall affect the substantive pay and scale of pay of officers holding permanent posts encadred in the Service on a substantive basis; nor shall the provisions of these rules have the effect of reducing the actual pay drawn by persons who are on the date of the commencement of these rules holding posts encadred in the Service and are appointed to the corresponding grade of the Service.

(3) Persons who were drawing more favourable terms than they would be entitled to under these rules by the equation of their posts to lower grades, shall be afforded protection in the relative scales of pay offered to them for so long as they hold these posts. This protection shall be for the total emoluments as a whole that is, an officer who chooses to retain his higher rate of pay will also have other allowances (including non-practising allowance) on the scale already admissible to him.

10. Leave, Pension and other conditions of Service.—(1) Officers of the former Indian Medical Service (Civil) appointed to the Service shall, even after such appointment, be entitled to the privileges in respect of leave pension, additional pension and other conditions of service which they had enjoyed prior to their being appointed to the Service.

(2) Leave, pension and other conditions of service of persons, other than those mentioned in subrule (1) above appointed to the service shall be as for officers of other Central Services of corresponding grades.

11. Private practice prohibited.—Persons appointed to the Service shall not be allowed private practice of any kind whatsoever including consultant practice.

12 Regulations.—The Central Government may make regulations, not inconsistent with these rules to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

13. **Interpretation.**—If any question arises relating to the interpretation of these rules, the decision of the Government thereon shall be final.

SCHEDULE I

[(See rule 4(r)]

Central Health Service

Category of Service posts	Grade of the Service	Classification of the posts	No. of posts	Pay or time scale of pay
1	2	3	4	5
Category 'A'—Senior Administrative posts with a selection grade which will include the posts of D.G.H.S.	Grade I with a Selection* Grade	Central Health Service Class I	14	(i) D.G.H.S. : Rs. 2,750/- (ii) Selection Grade : Rs. 2,000—125—2,250 (iii) Grade I : Rs. 1,600—100—2,000
Category 'B'—Junior Administrative and Senior Specialists posts.	Grade II	Do.	21	Rs. 1,300—60—1,600
Category 'C'—Senior posts	Grade III	Do.	60	Rs. 600—40—1,000—50/2—1,150.
Category 'D'—Junior posts	(i) Grade IV	Do.	83 plus Leave reserves : 18 101	Rs. 350—350—380—380—30—590—EB—30—770—40—850.
	and (ii) Grade V	Central Health Service, Class II	155 plus Leave reserves : 16 plus Deputation reserve posts : 74 245	Rs. 260—15—440—20—500.
TOTAL			441	

*The total number of officers holding selection grade posts including the Director General of Health Services shall not exceed 20% of the duty posts in Grade I subject to a minimum of three posts.

SCHEDULE II

(See rule 6)

METHOD OF RECRUITMENT TO THE SERVICE

PART I—CENTRAL HEALTH SERVICE, CLASS I

Recruitment to the Central Health Service Class I shall, after its initial constitution, be by the following methods:—

- by promotion from among members of the service in accordance with Section I below; or
- by direct recruitment in accordance with Section II below.

Section I—Recruitment by Promotion

Recruitment by promotion shall be as indicated below:—

(1) *Grade II*.—80 per cent. of the vacancies occurring in Grade IV shall be filled by promotion from officers of Grade V of the Central Health Service (Class II) with 5 years of service to their credit. Such promotion shall be made on the basis of merit with due regard to seniority.

(2) (a) *Grade III*.—20 per cent. of the vacancies occurring in Grade III shall be filled by promotion on the basis of merit with due regard to seniority from among officers of Grade V of the Central Health Service (Class II) who possess post-graduate qualifications in Medicine, Surgery or Public Health and have put in at least 12 years service in that Class.

(b) The remaining 80 per cent. of the vacancies occurring in Grade III shall be filled by promotion on the basis of seniority subject to fitness from officers of Grade IV with a minimum of 7 years of service in that grade.

(3) *Grade II and Grade I*.—(a) The vacancies in these two Grades shall ordinarily be filled by promotion on the basis of merit with due regard to seniority from officers of the next lower grade provided suitable officers are available.

(b) Officers of Grade III who have rendered not less than 10 years service in that grade or in equivalent posts shall be eligible for consideration for promotion to Grade II.

(c) Officers of Grade II who have rendered not less than 5 years service in that grade or in equivalent posts shall be eligible for consideration for promotion to Grade I.

(4) *Selection Grade in Grade I*.—The vacancies in this Grade shall be filled on the basis of merit with due regard to seniority by officers holding substantively Grade I posts and possessing experience of not less than 25 years in clinical research, teaching or administrative fields.

(5) *Post of Director General of Health Services*.—This post shall ordinarily be filled from among officers of Grade I of the Service including Selection Grade. The Controlling Authority may, however, on the advice of the Union Public Service Commission, fill this post by direct recruitment.

(6) In all cases, promotions shall be made on the advice of a duly constituted Departmental Promotion Committee.

Section II—Direct Recruitment

(a) 70 per cent. of the vacancies occurring in Grade IV of the Service will normally be filled by direct recruitment.

(b) Where the Departmental Promotion Committee concerned certifies that suitable officers are not available for appointment by promotion to Grades I, II and III from the grades from which promotion is normally made as provided for in Section I, recruitment to these grades may be made on the advice of the Union Public Service Commission by direct recruitment.

(c) *Reservation to Specified Sections of the People*.—All appointments to the Service made by direct recruitment in accordance with this Section shall be subject to any orders which may from time to time be issued by the Government of India in the Ministry of Home Affairs providing for the reservation of appointments or posts in favour of Scheduled Castes and Scheduled Tribes.

(d) *Application for Direct Recruitment*.—A candidate for appointment by direct recruitment shall apply before such date in such form and in such manner as may from time to time be prescribed by the Commission.

(e) *Eligibility*.—A candidate must be either:—

- (i) a citizen of India; or
- (ii) a subject of Sikkim; or
- (iii) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India; or
- (iv) a subject of Nepal or of a Portuguese or former French possession in India.

NOTE 1.—The appointment of candidates in categories (iii) and (iv) will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of a candidate belonging to category (iii) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:

- (i) Persons who migrated to India from Pakistan before the 19th July, 1948, and have ordinarily been residing in India since then;

- (ii) persons who migrated to India from Pakistan after 18th July, 1948 and got themselves registered as citizens within the time allowed;
- (iii) non-citizens who entered service under the Government of India before the commencement of the Constitution viz. 26th January, 1950, and who have continued in such service since then. Any such persons who re-entered, or may re-enter such service with a break, after the 26th January, 1950, will, however, require certificate of eligibility in the usual way.

NOTE II.—A candidate in whose case a certificate of eligibility is necessary may be provisionally appointed subject to the necessary certificate being issued in his favour by the Government.

(f) (i) No male candidate who has more than one wife living shall be eligible for appointment to the Service:

Provided that the Central Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

(ii) No female candidate who has married a person having already a wife living shall be eligible for appointment to the Service:

Provided that the Central Government may, if satisfied that there are special grounds for doing so, exempt any such woman from the operation of this sub-rule.

(g) The age limits, educational qualifications and experience for direct recruitment to the various grades in the Service shall be as laid down in the Annexure to this Schedule.

(h) A candidate must satisfy the appointing authority that his character and antecedents are such as to make him suitable for appointment to the Service.

(i) *Decision of the Commission final.*—The decision of the Commission on the question whether a candidate does or does not satisfy any of the requirements of clauses (c) and (g) shall be final.

(j) *Exemption.*—The Government may modify or waive any of the requirements of clauses (c) and (g) when an appointment for work of a special nature is to be made and it is not practicable to obtain a suitable candidate who fulfils all the requirements of these Rules:

Provided that any of the requirements of clause (g) shall not be waived except on the advice of the Commission.

(k) *Physical Fitness of Candidates.*—A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as the Government may prescribe) is found not to satisfy those requirements will not be appointed.

(l) *Payment of Fees by Candidate.*—A candidate must, at the time of application, pay such fee as the Government after consulting the Commission may from time to time prescribe and must submit such proof of his qualifications as the Commission may require.

(m) *Period of Probation.*—(i) Appointment shall be made on probation for a period of two years. During the probation the candidates shall undergo such training as may be prescribed by the Controlling Authority. The period of probation may be extended or curtailed at the discretion of the Controlling Authority.

(ii) On the conclusion of his period of probation, the Government may confirm the officer in his appointment. If, however, during or at the end of the probationary period his work or conduct has, in the opinion of the Government, been unsatisfactory, the Government may either discharge him or extend his period of probation for such further period as the Government may think fit.

(n) *Liability for Service all over India.*—An officer appointed to the service may be required to serve anywhere in India.

PART II—CENTRAL HEALTH SERVICE CLASS II

Section I—Recruitment by Promotion

25 per cent of the vacancies occurring in the Service shall be filled by promotion on the basis of merit with due regard to seniority from Class III officers who have rendered not less than 10 years of service. Such promotions shall be made on the advice of a duly constituted Departmental Promotion Committee.

Section II—Direct Recruitment

(a) 75 per cent of the vacancies in the Service will normally be filled by direct recruitment.

(b) *Reservation to Specified Sections of the People.*—All appointments to the Service made by direct recruitment in accordance with this Section shall be subject to any orders which may from time to time be issued by the Government of India in the Ministry of Home Affairs providing for the reservation of appointments or posts in favour of Scheduled Castes and Scheduled Tribes.

(c) *Application for Direct Recruitment.*—A candidate for appointment by direct recruitment shall apply before such date in such form and in such manner as may from time to time be prescribed by the Commission.

(d) *Eligibility.*—A candidate must be either:

- (1) a citizen of India; or
- (2) a subject of Sikkim; or
- (3) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India; or
- (4) a subject of Nepal or of a Portuguese or former French possession in India.

NOTE I.—The appointment of candidates in categories (3) and (4) will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of a candidate belonging to category (3) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

- (i) persons who migrated to India from Pakistan before the 19th July, 1948, and have ordinarily been residing in India since then;
- (ii) persons who migrated to India from Pakistan after the 18th July, 1948 and got themselves registered as citizens within the time allowed;
- (iii) non-citizens who entered service under the Government of India before the commencement of the Constitution viz. 26th January, 1950, and who have continued in such service since then. Any such persons who re-entered, or may re-enter such service with a break, after the 26th January, 1950, will, however, require certificate of eligibility in the usual way.

NOTE II.—A candidate in whose case a certificate of eligibility is necessary may be provisionally appointed subject to the necessary certificate being issued in his favour by the Government.

(e) (i) No male candidate who has more than one wife living shall be eligible for appointment to the Service:

Provided that the Central Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

(ii) No female candidate who has married a person having already a wife living, shall be eligible for appointment to the Service:

Provided that the Central Government may, if satisfied that there are special grounds for doing so, exempt any such woman from the operation of this sub-rule.

(f) The age limit, educational qualifications and experience for direct recruitment to the grade in the service shall be as laid down in the Annexure to this Schedule.

(g) A candidate must satisfy the appointing authority that his character and antecedents are such as to make him suitable for appointment to the service.

(h) *Decision of the Commission final.*—The decision of the Commission on the question whether a candidate does or does not satisfy any of the requirements of clauses (d) and (f) shall be final.

(i) *Exemption.*—The Government may modify or waive any of the requirements of clauses (d) and (f) when an appointment for work of a special nature is to be made and it is not practicable to obtain a suitable candidate who fulfils all the requirements of those rules provided that any of the requirements of clause (f) shall not be waived except on the advice of the Commission.

(j) *Physical Fitness of Candidates.*—A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as the Government may prescribe) is found not to satisfy those requirements will not be appointed.

(k) *Payment of Fees by Candidates*—A candidate must, at the time of application, pay such fees as the Government after consulting the Commission may from time to time prescribe and must submit such proof of his qualifications as the Commission may require.

(l) *Period of Probation*—(i) Appointment shall be made on probation for a period of one year. During the probation the candidates shall undergo such training as may be prescribed by the Controlling Authority. The period of probation may be extended or curtailed at the discretion of the Controlling Authority.

(ii) On the conclusion of his period of probation, the Government may confirm the officer in his appointment. If, however, during or at the end of the probationary period his work or conduct has in the opinion of the Government been unsatisfactory, the Government may either discharge him or extend his period of probation for such further period as the Government may think fit.

(m) *Liability for Service all over India*—An officer appointed to the service may be required to serve anywhere in India.

ANNEXURE TO SCHEDULE II

Name of Post	Age	Educational and other Qualifications required
1. Director General of Health Services.	Below 59 years.	<p><i>Essential</i> :—</p> <p>(i) medical qualification included in the first or the second schedule or part II of the third schedule to the Indian Medical Council Act, 1956.</p> <p>(ii) Post-graduate qualification in Medicine, Surgery or Public Health <i>e.g.</i> M.S. or F.R.C.S., F.A.C.S., M. D. or M.R.C.P., D.P.H. or D.T.M. & H. or equivalent.</p> <p>(iii) About 25 years standing in the profession.</p> <p>(iv) Extensive practical and administrative experience in the field of Medical Relief, Medical Research, Medical Education/or Public Health Organisation.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>
2. Officers in Selection Grade.	Between 45 & 50 years.	N.A.
3. Grade I Officers	Between 45 & 50 years.	<p><i>Essential</i> —</p> <p>(i) A medical qualification included in the first or the second schedule or part II of the third schedule to the Indian Medical Council Act, 1956.</p> <p>(ii) Post-graduate qualifications in Medicine, Surgery or Public Health <i>e.g.</i> M.S. or F.R.C.S., F.A.C.S., M.D. or M.R.C.P., D.P.H. or D.T.M. & H. or equivalent.</p> <p>(iii) 20 years' standing in the profession.</p> <p>(iv) Extensive practical and administrative experience in the field of Medical Relief, Medical Research, Medical Education/or Public Health Organisation.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>
4. Grade II Officers	Between 40 & 50 years	<p><i>Essential</i> :—</p> <p>(i) A medical qualification included in the first or the second schedule or part II of the third schedule to the Indian Medical Council Act, 1956.</p> <p>(ii) Post-graduate qualification in Medicine, Surgery or Public Health <i>e.g.</i> M.S. or F.R.C.S., F.A.C.S., M. D. or M.R.C.P., D.P.H. or D.T.M. & H. or equivalent.</p>

Name of Post	Age	Educational and other Qualifications required
		<p>(iii) 15 years' standing in the profession with at least 5 years' administrative experience in the Medical/Public Health Field.</p> <p>OR</p> <p>A minimum of 15 years' standing in the profession of which at least 10 years' must have been spent in a responsible position in a post connected with the speciality</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified)</p>
5 Grade III Officers	Between 30 & 40 years	<p><i>Essential</i> —</p> <p>(i) A medical qualification included in the first or the second schedule or Part II of the third schedule to the Indian Medical Council Act, 1956</p> <p>(ii) Post graduate qualification in medicine, Surgery or Public Health <i>e.g.</i> M.S. or F.R.C.S., F.A.C.S., M.D. or M.R.C.P., D.P.H. or D.T.M. & H. or equivalent</p> <p>(iii) At least 7 years' standing in the profession with at least 5 years' work in a clinical teaching or research or public health post</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified)</p>
6 Grade IV Officers	Between 26 & 33 years	<p><i>Essential</i> —</p> <p>(i) A medical qualification included in the first or the second schedule or part II of the third schedule to the Indian Medical Council Act, 1956</p> <p>(ii) Post-graduate qualification in Medicine, Surgery or Public Health <i>e.g.</i> M.S. or F.R.C.S., F.A.C.S., M.D. or M.R.C.P., D.P.H. or D.T.M. & H. or equivalent</p> <p>(iii) At least 5 years' practical experience as Physician Surgeon in any institution of repute or professional experience for at least 5 years, for the specialised post or 5 years' research experience for research posts</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified)</p>
7. Grade V Officers	Between 25 & 30 years	<p><i>Essential</i> —</p> <p>(i) A medical qualification included in the first or the second schedule or part II of the third schedule to the Indian Medical Council Act, 1956</p> <p>(ii) 2 years' experience as House Surgeon or in private practice or in Public Health, Medical Practitioners who have already 2 years' experience in the service/private practice prior to their obtaining basic medical qualification may be deemed to have fulfilled the necessary 2 years' experience</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>

[No. F. 9-13/57—C.H.S.]

V K. B. PILLAI, Secy.